IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 40 OF 2005

IN

SUMMARY SUIT NO.3646 OF 2004

Sobhagyamal Kastormal Singhvi ..Plaintiff

Vs.

Mr. Umrao Mal Lodha ..Deendant

Mr. M.G.Mimani for Plaintiff.

Mr. Prem Gidwani for Defendant.

CORAM: S.U.KAMDAR,J.

DATE : 11th October,2005.

P.C.

1. The present suit is filed on a honoured cheque. Such a suit is not maintainable as a Summary Suit.

The Summons for Judgment is dismissed.

2. Unconditional leave to defend is granted. Suit transferred to the list of Commercial Causes. Written Statement or points of defence to be filed within four weeks from today. Affidavits, list of documents to be

filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on Board of the learned Judge taking Commercial Causes.

(S.U.KAMDAR,J.)